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EXAMINER

RILEY, MARCUS T

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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09/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/758,084

Applicant(s)

IRIYAMA ET AL.

Examiner

Marcus T. Riley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/16/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/16/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>attached</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 2, 3 & 10** are rejected under 35 U.S.C. 102(b) as being anticipated by Yokomizo et al. (US 6,321,266 B1 hereinafter, Yokomizo '266).

3. **Regarding claim 2;** Yokomizo '266 discloses an image printing system formed by connecting, through a network, (*"The network system in the embodiment is so constructed that a small number of scanners or printers connected thereto through the network can be commonly utilized..."*column 11, lines 31-32); an image printing apparatus which prints an image on a

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paper sheet on the basis of image data to an information processing apparatus which performs an image process for the image data (*"the device driver 86 performs the following process so as to print out one page of compressed image stored in the compressing memory 615."* (column 41, lines 37-40); said image printing apparatus including image data transmission means for transmitting image data and a type of image process to be performed for the image data to said information processing apparatus (*"Then the CPU 401 transmits a scan start command to the scanner 95A. Image data entered from the reader part of the scanner 95A is entered into image processing circuits 404, 405 and 406 through the interface 423. Here image processing is carried out..."* column 29, lines 66-67 thru column 30, lines 1-4); information processing apparatus including image processing means for performing a requested image process for image data received from said image printing apparatus (*"The image is processed in accordance with the predetermined parameters, and NTSC-RGB data is converted to RGB color spaces to be internally used in the printer 95B and transferred to the printer 95B through the buffer 421 and the interface 424."* column 29, lines 38-42); processed image data transmission means for transmitting the image data having undergone an image process by said image processing means to said image printing apparatus from which the image process has been requested (*"Then, image data as much as one band is transferred from the board circuit to the memory 408 through the VME bus. At this time, image data from the VME bus is stored in the RGBX data format by 32-bit accessing. R, G and B are respectively image data for color components of red, green and blue, and X is control data including information of block characters. Next, a command for printing operation is transferred through the dual-port RAM 403. The CPU 401 transmits a start command for printing operation."* column 29, lines 21-30); where said

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information processing apparatus further includes parameter type file transmission means for transmitting, to said image printing apparatus "*Parameters such as data sizes are sent to the printer 95B through the parallel/serial converter 407.*" column 29, lines 19-21); a parameter type file in which a type of parameter necessary for execution of an image process to be executed by said image processing means is written, ("*When various parameters for printing are written into the dual-port RAM 403 from the board circuit through the VME bus, the CPU 401 reads out the data and interprets and control it. For example, for printing RGB data, the CPU 401 sets a table with a through-operating characteristic which does not cause LUT data of the image processing circuit 404 to change...*" column 29, lines 8-14); an image printing apparatus further includes parameter input requesting means for requesting a user to input a parameter necessary for execution of an image process on the basis of a parameter type file received from said information processing apparatus ("*When various parameters for printing are written into the dual-port RAM 403 from the board circuit through the VME bus, the CPU 401 reads out the data and interprets and control it. For example, for printing RGB data, the CPU 401 sets a table with a through-operating characteristic which does not cause LUT data of the image processing circuit 404 to change, sets the coefficients for conversion from NTSC-RGB to 13J-RGB in the coefficient table for the matrix of the image processing circuit 405, and controls the gates of buffers 420 and 421 so as to pass through the binary coding processing of the image processing circuit 406.*" column 29, lines 8-18).

Regarding claim 3; Yokomizo '266 discloses an image printing system formed by connecting, through a network ("*The network system in the embodiment is so constructed that a small number of scanners or printers connected thereto through the network can be commonly*

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utilized..." column 11, lines 31-32); an image printing apparatus which prints an image on a paper sheet on the basis of image data to an information processing apparatus which performs an image process for the image data (*"the device driver 86 performs the following process so as to print out one page of compressed image stored in the compressing memory 615."* column 41, lines 37-40); where said image printing apparatus includes an operation unit which displays information to a user and receives an information input from the user (*"An RS232C controller 117 controls a standard serial interface I/F. An RS232C port having two ports, A channel 118a and B channel 118b, has one port used for connecting terminal devices to display or to input data from a keyboard. Another port is used for connecting with a device having a serial interface, to which a character printer, like a laser beam printer, or a simple type scanner can be connected."* column 17, lines 6-12); control permission means for permitting said information processing apparatus to gain control of said operation unit in accordance with a request from said information processing apparatus (*"When one page processing in the ID25 job has been completed, the entire system control program 93 examines again the job table. FIG. 49 is the corresponding job table JOBT, showing the status where the job of ID25 waits for processing the next page after a complete delivery of one page. The end page changes from 0 page to 1 page. A newly entered job is allocated with the ID26. The status is WAIT with the priority of LEVEL1. The interface is BMEM and the job is BJP. The entire system control program 93 judges with reference to the job table JOBT to activate to process 2 page of the ID25 job."* column 53, lines 53-64); said information processing apparatus includes control requesting means for requesting control of said operation unit of said image printing apparatus (*"Printing and scanning are started when a print request and a scan request from the upper layer of the host computer are*

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received by the communications program 53." column 35, lines 27-29); operation unit control means for controlling said operation when control of said operation unit is permitted by said control permission means (*"Basic operations of the overall system control program 93 are to carry out processing in response to an event to be entered, inquire a status of the input/output unit which has fallen in an error, and resume a job which has been interrupted due to the error and has restored from the error."* column 35, lines 48-52).

Regarding claim 10; A system according to claim 2, wherein the parameter type file is formed from a test file listing parameter types (*"When various parameters for printing are written into the dual-port RAM 403 from the board circuit through the VME bus, the CPU 401 reads out the data and interprets and control it. For example, for printing RGB data, the CPU 401 sets a table with a through-operating characteristic which does not cause LUT data of the image processing circuit 404 to change..."* column 29, lines 8-14).

4. **Claims 6-9** are rejected under 35 U.S.C. 102(b) as being anticipated by Kato (US 6,814,512 B2 hereinafter, Kato '512).

5. **Regarding claim 6;** Kato '512 discloses an image printing system formed by connecting, through a network, an image printing apparatus to an information processing apparatus, said image printing apparatus including image reading means for obtaining image data by reading an image from an original, image printing means for printing an image on a paper sheet on the basis of image data, and first image processing means for performing an image process for image data, and said information processing apparatus including second image processing means for performing an image process for image data, comprising: search key input means for allowing a

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user to input a search key used for a search for an image processing function (*"When changing the output destination of a document, which is designated, for example, as the printer 4-1, the user at first operates the input device 35 to request the machine information of another printer 4-2-4-m. At this time, in the client terminal 3-1, the main control section 31 creates a server search command for the printer server 2-1, and outputs it to the communication section 33. The communication section 33 transmits the server search command to the printer server 2-1 via the LAN 1."* column 6, lines 21-29); search means for searching for at least an image processing function, of image processing functions provided by said first and second image processing means, which is provided by said second image processing means by using the search key input by said search key input means (*"If the main control section 51 determines, at a step ST4 in FIG. 6, that the command is a command to search for a server, it executes a server search process shown in detail in FIG. 8. Specifically, the main control section 51 instructs the server search section 61 to search for another printer server. After acquiring the machine information of another printer server from the server search section 61, the main control section 51 outputs the acquired machine information to the machine information output section 59."* column 4, lines 47-55); and search result display means for displaying the image processing function searched out by said search means in an operation window (*"...a job display control section configured to display, on a display, information contained in the image-forming jobs that are stored in the job storage, upon receiving a request for displaying the image-forming jobs..."* column 2, lines 6-11).

Regarding claim 7; Kato '512 discloses a system according to claim 6, further comprising search result storage means for storing a search result obtained by said search means

("...information contained in the image-forming jobs that are stored in the job storage, upon receiving a request for displaying the image-forming jobs;" column 2, lines 9-11).

Regarding claim 8; Kato '512 discloses A system according to claim 6, wherein said search means outputs a coincidence degree for each search target which numerically expresses a correspondence between a search target and the search key (*"If the main control section 51 determines, at a step ST4 in FIG. 6, that the command is a command to search for a server, it executes a server search process shown in detail in FIG. 8. Specifically, the main control section 51 instructs the server search section 61 to search for another printer server. After acquiring the machine information of another printer server from the server search section 61, the main control section 51 outputs the acquired machine information to the machine information output section 59."* column 4, lines 47-55); said search result display means changes a display layout of an operation window on the basis of the coincidence degree output from said search means (*"As a result, a list of all image-forming jobs registered in a queue in the printer server 2-1 is displayed on the display 36 of the client terminal 3-1. In this state, the user of the client terminal 3-1 can change, for example, the number of copies of a document, whose printing was instructed before. Further, the user can change the printer designated as the output destination."* column 5, lines 61-67).

Regarding claim 9; Kato '512 discloses where said search means outputs a coincidence degree for each search target which numerically expresses a correspondence between a search target and the search key (*"If the main control section 51 determines, at a step ST4 in FIG. 6, that the command is a command to search for a server, it executes a server search process shown in detail in FIG. 8. Specifically, the main control section 51 instructs the server search*

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section 61 to search for another printer server. After acquiring the machine information of another printer server from the server search section 61, the main control section 51 outputs the acquired machine information to the machine information output section 59." column 4, lines 47-55); said search result display means changes a display layout of an operation window on the basis of the coincidence degree output from said search means ("As a result, a list of all image-forming jobs registered in a queue in the printer server 2-1 is displayed on the display 36 of the client terminal 3-1. In this state, the user of the client terminal 3-1 can change, for example, the number of copies of a document, whose printing was instructed before. Further, the user can change the printer designated as the output destination." column 5, lines 61-67).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo '266 in combination with Rosen (US 2003/0048473 A1 hereinafter, Rosen '473).

Regarding claim 1; Yokomizo '266 discloses an image printing system formed by connecting, through a network ("The network system in the embodiment is so constructed that a small number of scanners or printers connected thereto through the network can be commonly utilized..."column 11, lines 31-32); an image printing apparatus which prints an image on a

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paper sheet on the basis of image data to an information processing apparatus which performs an image process for the image data (*"the device driver 86 performs the following process so as to print out one page of compressed image stored in the compressing memory 615."* (column 41, lines 37-40); said image printing apparatus including image data transmission means for transmitting image data and a type of image process to be performed for the image data to said information processing apparatus, (*"Then the CPU 401 transmits a scan start command to the scanner 95A. Image data entered from the reader part of the scanner 95A is entered into image processing circuits 404, 405 and 406 through the interface 423. Here image processing is carried out..."* column 29, lines 66-67 thru column 30, lines 1-4); said information processing apparatus including image processing means for performing a requested image process for image data received from said image printing apparatus, (*"The image is processed in accordance with the predetermined parameters, and NTSC-RGB data is converted to RGB color spaces to be internally used in the printer 95B and transferred to the printer 95B through the buffer 421 and the interface 424."* column 29, lines 38-42); and processed image data transmission means for transmitting the image data having undergone an image process by said image processing means to said image printing apparatus from which the image process has been requested, (*"Then, image data as much as one band is transferred from the board circuit to the memory 408 through the VME bus. At this time, image data from the VME bus is stored in the RGBX data format by 32-bit accessing. R, G and B are respectively image data for color components of red, green and blue, and X is control data including information of block characters. Next, a command for printing operation is transferred through the dual-port RAM 403. The CPU 401 transmits a start command for printing operation."* column 29, lines 21-30).

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Yokomizo '266 does not expressly disclose where said information processing apparatus further includes HELP file transmission means for transmitting, to said image printing apparatus, a HELP file which is an explanation of an image process to be executed by said image processing means, and said image printing apparatus further includes explanation display means for displaying the explanation of the image process on the basis of the HELP file received from said information processing apparatus.

Rosen '473 discloses wherein said information processing apparatus further includes HELP file transmission means for transmitting, to said image printing apparatus, a HELP file which is an explanation of an image process to be executed by said image processing means, (*"In a particular embodiment, the print engine in a printer also contains a help file (i.e., help instructions for the user of the printer) that assists the user of the printer and/or the computer coupled to the printer to install printer drivers, update printer drivers, execute various printer functions, or perform other operations. Page 3, Paragraph 0043); and said image printing apparatus further includes explanation display means for displaying the explanation of the image process on the basis of the HELP file received from said information processing apparatus. ("The information contained in the help file may be displayed on the computer and/or a display device on the printer." Page 4, Paragraph 0043).*

Yokomizo '266 and Rosen '473 are combinable because they are from same field of endeavor of printing devices (*"The present invention relates to printing devices..."* Rosen '473 at Page 1, Paragraph 0001).

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to printing devices as taught by Yokomizo '266 by adding where said information processing apparatus further includes HELP file transmission means for transmitting, to said image printing apparatus, a HELP file which is an explanation of an image process to be executed by said image processing means, and said image printing apparatus further includes explanation display means for displaying the explanation of the image process on the basis of the HELP file received from said information processing apparatus as taught by Rosen '473.

The motivation for doing so would have been because it advantageous to increase print speed, quality and improve features (*"Printer technology continues to advance, resulting in commercially available printers having faster speed, increased print quality, and improved features."* Rosen '473 at Page 1, Paragraph 0001).

Therefore, it would have been obvious to combine Yokomizo '266 with Rosen '473 to obtain the invention as specified in claim 1.

8. **Claim 4 & 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo '266 in combination with Tateyama (US 2002/0054344 A1 hereinafter, Tateyama '344).

Regarding claim 4; Yokomizo '266 discloses a system according to claim 3, wherein said operation unit control means includes sample display means for displaying, on said operation unit, (*"An RS232C controller 117 controls a standard serial interface I/F. An RS232C port having two ports, A channel 118a and B channel 118b, has one port used for connecting terminal devices to display or to input data from a keyboard. Another port is used for connecting*

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with a device having a serial interface, to which a character printer, like a laser beam printer, or a simple type scanner can be connected." column 17, lines 6-12).

Yokomizo '266 does not expressly disclose a sample image obtained by causing said operation unit to perform an image process designated by the user for an original image

Tateyama '344 discloses a sample image obtained by causing said operation unit to perform an image process designated by the user for an original image (*"Here time actually required for converting the sample image data is calculated by using data processing time as shown in FIG. 30 for each processing pattern each device."* Page 11, Paragraph 244).

Yokomizo '266 and Tateyama '344 are combinable because they are from same field of endeavor of image process systems (*"The present invention relates to an image processing system..."* Tateyama '344 at Page 1, Paragraph 0001).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the image process system as taught by Yokomizo '266 by adding a sample image obtained by causing said operation unit to perform an image process designated by the user for an original image as taught by Tateyama '344.

The motivation for doing so would have been to provide an image processing system for determining an optimum device to execute predetermined image processing and a processing route (*"...to provide an image processing system, a control method and an image processing apparatus in a system having plural devices connected via a serial bus for determining an optimum device to execute predetermined image processing and a processing route."* Tateyama '344 at Page 1, Paragraph 0010).

Therefore, it would have been obvious to combine Yokomizo '266 with Tateyama '344 to obtain the invention as specified in claim 3.

Regarding claim 5; Yokomizo '266 discloses a system according to claim 4, wherein said operation unit control means further includes sample display selection means for allowing the user to select whether or not to cause said sample display means to display a sample. (*"An RS232C controller 117 controls a standard serial interface I/F. An RS232C port having two ports, A channel 118a and B channel 118b, has one port used for connecting terminal devices to display or to input data from a key board."* column 17, lines 6-9).

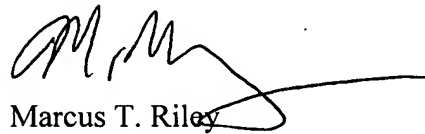
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus T. Riley whose telephone number is 571-270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

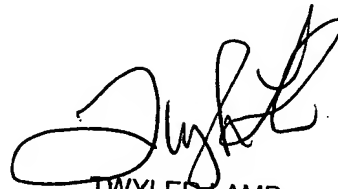
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Marcus T. Riley
Assistant Examiner
Art Unit 2625



TWYLER LAMB
SUPERVISORY PATENT EXAMINER